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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/714,941	11/20/2000	Arto Astala	017.38955X00	7366

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EXAMINER	
WU, XIAO MIN	

ART UNIT	PAPER NUMBER
2674	15

DATE MAILED: 12/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/714,941	ASTALA ET AL.	
	Examiner	Art Unit	
	XIAO M. WU	2674	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 December 2003*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,4-36 and 38-42* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,4-36,42 and 48* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/8/2003 has been entered.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1, 6-11, 14-21, 24-30, 33-36, 38-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allard et al. (US Patent No. 5,615,384) in view of Araki et al. (US Patent No. 4,899,138).

As to claims 1, 9, 10, 17-20, 27, 28, 29, 36, Allard discloses a method of inputting data at a wireless device using a touch screen (26, Fig. 2)), the method comprising: receiving configuration information at the wireless device from a serve (e.g. e-mail, Fig. 4) detecting an object (e.g. finger) touching the touch screen; detecting the location of the object on the touch screen; detecting x and y coordinates of a point of contact of the object on the touch screen (see Fig. 4). It is noted that Allard does not discloses "detecting when the object is no longer touching the touch screen and measuring a time duration from the time of detection of the object first touching the touch screen until the time of detection of the object no longer touching the touch screen; and determining inputted data based on the detected location of the object on the touch screen and the measured time. Araki is cited to teach a touch screen input device similar to Allard. Araki teaches detecting when the object is no longer touching the touch screen and measuring a time duration from the time of detection of the object first touching the touch screen until the time of detection of the object no longer touching the touch screen (see col. 5, line 64 to col. 6, line 14); and determining inputted data based on the detected location of the object on the touch screen and the measured time duration (see col. 2, lines 20-39). It would have been obvious to one of ordinary skill in the art to have modified the touch screen of Allard with the features of measuring the touch period as taught by Araki so as to select an operation mode for an electronic device according to how the finger touches the touch panel (col. 2, lines 19-20).

As to claims 6, 14, 24, 33, Araki discloses measuring the time duration comprising determining whether or not the time duration is grater than a predetermined value (col. 6, line 7).

As to claims 7, 15, 25, 34, Araki discloses measuring the time duration comprising determining whether the time duration is less than or equal to a first predetermined value or greater than the first predetermined value and less than or equal to second predetermined value or greater than second predetermined value (col. 6, lines 5-7).

As to claims 8, 16, 26, 35, Araki discloses measuring the time duration comprising determining which of a predetermined plurality of time duration ranges the measured time duration is within (col. 6, lines 5-7).

As to claims 11, 21 and 30, it is noted that Araki does not specifically disclose the x, y coordinates corresponding to a particular file location. Allard is cited to teach a touch screen input device in which the user can select a file by touch a coordinate position on the screen. It would have been obvious to one of ordinary skill in the art to have included a file selection in Araki so that the user can select different task from the file.

As to claims 38-41, Allard discloses the server receives the configuration information (e.g. e-mail information) from a configuration manager of management server (see Fig. 4).

As to claim 42, Allard discloses the determined inputted data corresponds to showing a hidden text under a touch input and the determining inputted data corresponds to magnifying a hidden text under a touch input (see Fig. 6).

4. Claims 4, 5, 12, 13, 22, 23, 31, 32 rejected under 35 U.S.C. 103(a) as being unpatentable over Araki et al. (US Patent No. 4,899,138) in view of Allard et al. (US Patent No. 5,615,384) as

applied to claims 1, 6-11, 14-21, 24-30, 33-36, 38-42 above, and further in view of Dunthorn (US Patent No. 4,914,624)

It is noted that Araki does not specifically disclose detecting pressure of the object on the touch screen being greater than a predetermined. Dunthorn is cited to teach a touch screen input device in which comprises detecting pressure of the object on the touch screen being greater than a predetermined (e.g. increasing the pressure of touch, see col. 6, line 66 to col. 7, line 2). It would have been obvious to one of ordinary skill in the art to have modified Araki with the features of pressure determination as taught by Dunthorn so as to increase the touch function by using different pressure values.

Response to Arguments

5. Applicant's arguments filed 12/8/2003 have been fully considered but they are not persuasive.

Applicant argues that neither Allard et al. nor Araki et al., taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination these claims of, inter alia, **receiving configuration information at a wireless device form a server**, and further applicant argues that none of these portion of Allard et al. discloses, suggest or relate at all to receiving configuration information. Applicant's arguments are not persuasive. As shown in Fig. 4, Allard clearly shows a mobile, handheld personal communicator such as a cellular phone which includes a touch screen. The touch screen includes a plurality of icons and one of the icons is a "E-Mail" icon which can be selected by a user for accessing the E-Mail information. Since the device is a mobile, handheld personal computer and it can access the E-Mail information, it is inherent that the handheld device can receive a wireless E-Mail

information from a server because the server can provide email information. Furthermore, the E-Mail information is a configuration information since any information generated by a computer is a configuration information. It is believed that the broadly claimed structures still met by the prior art references.

Conclusion

6. This is a RCE of applicant's earlier Application No. 09/714,941. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Xiao Wu whose telephone number is (703) 305-4721.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe, can be reached on (703) 305-4709.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9306

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377

xw

December 22, 2003

XIAO WU
PRIMARY EXAMINER
ART UNIT 2674